

**RUMSON PLANNING BOARD  
AUGUST 4, 2014  
MINUTES**

Vice-Chairman Casazza called the regular meeting to order at 7:30 p.m. with the Pledge of Allegiance.

The Roll was called with the following members present: Williams, Casazza, Clark, Shanley, White, Hewitt, Also present: Michael Steib (Board Attorney), Fred Andre (Zoning Officer), State Shorthand Services.

**Approval of Minutes**

Mrs. White moved to approve the July minutes, with corrections, and Mr. Shanley seconded.

Roll Call Vote: Ayes – Williams, Casazza, Clark, Shanley, White, Hewitt,

Nays – None

Motion carried.

**Resolutions**

1. **Edgewood Development, LLC, 9 Edgewood Rd., and 2 Orchard Lane** – Mr. Steib explained the memorialization of the resolution, noting that the motion to approve was not passed, and the resolution is for a denial of the application. Mrs. White moved to adopt the resolution, and Mrs. Williams seconded.

2. Roll Call Vote: Ayes –(Eligible) Casazza, Williams, Clark, Hewitt, White

Nays – None

Motion carried.

**Consistency Review Proposed Ordinance Amendments**

Mr. Steib explained that the proposed revisions to the ordinance have been sent to the Planning Board to make sure they are consistent with the Master Plan and also for any suggestions or recommendations. The consistency report has been sent to all Board members identifying the ordinances and the purpose of the ordinances for amending the zone map between the R-5 and GB Zone districts, making the zone line consistent with the uses. It basically accomplishes what currently exists. Ms. Heard noted that this was recommended in the re-examination report. Mrs. White moved to adopt the proposed revisions, and Mr. Clark seconded.

Roll Call Vote: Ayes –(Eligible) Casazza, Williams, Clark, Hewitt, White, Shanley

Nays – None

Motion carried.

**John Lembeck, 41 Washington Ave., Minor Subdivision Application**

Mr. Hewitt will not sit in on the application.

Mr. Steib advised that the Board has jurisdiction to hear the application. Ms. Heard listed the outstanding items that were recommended for completion waivers, for which she has no objection. Mr. Clark moved to grant the waivers, and Mr. Shanley seconded.

Roll Call Vote: Ayes – (Eligible) Casazza, Williams, Clark, White, Shanley

Nays – None

Motion carried.

Mr. Steib reported that three exhibits have been received:

- A-1 Application, dated 3/7/14
- A-2 Minor Subdivision plan, dated 1/23/14
- A-3 Completeness and engineering review from T&M Assoc., dated 4/10/14.

Mark Aikens, attorney, appeared on behalf of the applicant. He explained that this is an application for a two-lot subdivision in the R-5 zone and is fully compliant. The waivers are minor, and the Board has granted them.

Tom Santry, land surveyor, was sworn in, and the board accepted his qualifications. He prepared the plans before the Board this evening. He explained that the property is on Washington Ave., and they are proposing to split in in half. It is fully compliant, and no variances are required.

Mr. Santry reviewed the T&M letter from 4/10/14, stipulating that he agrees with the comments in the letter, including”

- It is his opinion that no significant traffic impact would be felt with this application.
- They would also comply with the requirement to repair any pavement damage.
- Grading plans are not required at this time, since there is no definite building plan for either of the lots. Once this is detailed, these grading plans will need to be provided, and this is consistent with the ordinance.
- They are not seeking any waivers for Storm Water Management systems.
- They will agree to revise the plans to show all utilities, and he believes most have already been done.
- The sewer plans will be provided as each home is proposed for the lots.
- Street trees will be provided and shown on the plan.
- The on-site trees to be removed will be shown on a revised plan, clarifying the species of any trees to be removed. Mr. Santry noted that they will be removing two Apple trees, approximately 12” in diameter.
- A list of the design waivers will be shown on the revised plan, along with required signatures.
- Monuments will be provided, as mentioned in the T&M letter.
- The survey date will be updated.
- The plan will also show the new property lines, and the map-filing law will be followed.
- All required permits will be received, and dates will be submitted to T&M for tax map revisions.
- The Monmouth County Planning Board approval should be received, and the property does not impact the county drainage structure.
- The Freehold Soil Conservation approval will be sought.

Mr. Casazza asked about the drainage and how it may affect other properties. Mr. Santry said this lot is lower than the surrounding lots, and drainage will be adjusted appropriately. The lots will be similar in height to the surrounding lots, and drainage will go to the street. They will be respectful of the neighbors.

Mr. White noted that this is a wet area and expressed concern with drainage issues. She does not think it is a very big piece of property to add this much more impervious surface. She thinks this will cause more water to sit on the property. She worries that overdevelopment will cause trouble with more runoff into

Oyster Bay. She loves the area and does not want to see it ruined. She does not think there is enough area to absorb the additional runoff.

Mr. Casazza asked when a builder is required to make sure that the additional runoff does not affect the neighbors. Mr. Steib said that if the applicant has a plan that conforms to the requirements of the Storm Water Management regulations, then the Board could approve it. Ms. Heard explained ways to swale the water out to Washington Avenue and other ways to achieve an acceptable grading. Mr. Casazza noted that the board could impose very strict requirements to make sure that the drainage does not adversely affect the other lots in the area. Mr. Aikens said they understand this and would stipulate that they would meet all requirements.

Mr. Shanley asked if water currently sits on the lot, and Mr. Santry said he has not noticed any; however, he has not been there after any recent rains. It may temporarily puddle next to the existing home, but eventually it drains to the street.

Mrs. Williams asked if all adjacent properties needed to be notified and when the notice was sent. Mr. Aikens said the notice was filed on 5/28/14. Mr. Andre was asked about Block 136, Lot 2 and whether it was noticed, and Mr. Andre said they were served notice.

Lisa Hilidias, 50 Washington Ave., was sworn in and said she lives across the street from this property. She said that many other neighbors on the street are upset with this application, but could not be present this evening. She feels this will change the character of the block and increase traffic. The water is a massive problem in the area, and constantly overflows on the street.

Mr. Casazza said he understands the nature of change in a neighborhood; however, this application requires no variances, and the board is limited. They are also aware of water problems.

Mr. Steib was asked about storm drains and if the Board could require them to be installed. Mr. Steib advised that the applicant could not be made to effect this improvement.

Mr. Casazza commented on the zoning in the borough and how this application meets the qualifications for this zone. This applicant is not asking for any variances or change to the ordinance requirements. They are sensitive to the water issues, but they also are sensitive to the rights of the applicants.

Jill Birdsall, 43 Washington Ave., was sworn in and also expressed concerns with the water issues. She thinks it will increase the traffic by 20%. She feels this application will set a precedent in the area. She does not think this application will benefit or improve the area; as her application did when she built her home.

There were no other comments or questions from the public.

Mrs. Williams asked how long the applicants have owned the property, and Mr. Aikens said they have owned the property since 1958. Mrs. Williams agrees that the nature of the neighborhood will be changed by adding two homes on this lot. She agrees that this could be a trend in the area.

Mr. Casazza said this Board could make a recommendation to Mayor and Council regarding this issue.

Mr. Clark asked if the Board can request that work be done prior to approval, but Mr. Steib said this was not possible. They could ask for a specific type of grading plan and it could be proper to request this information for the Board's review. Mr. Aikens said no structures are proposed at this time, and development regulations allow the applicant to submit this after approval of the subdivision, which is fully conforming according to the zoning ordinance, which entitles the applicant to this subdivision request, according to the development regulations and zoning ordinance, provided that it meets the requirements as the individual lot plans are provided.

Mr. Shanley commented on Ms. Birdsall's testimony, where she told the Board that she was able to build her house, so that her neighbors were not adversely impacted. He thinks the applicant may also be able to produce a plan that could possibly improve the drainage, as she stated she did with her lot.

Mr. Shanley moved to approve the application, and Mr. Clark seconded.

Roll Call Vote: Ayes Casazza, Williams, Clark, Shanley

Nays – White

Motion carried.

Ms. Heard asked that the resolution also be forwarded to Fair Haven for their shared review.

Mr. Hewitt rejoined the meeting at this time.

#### **Other Business**

Mr. Andre noted that the September meeting will start at 7:00 p.m.

He also reviewed several upcoming applications for the Board's information.

There was no need for an executive session.

The next meeting will be **Monday, September 8, 2014 (7:00 p.m.)**

Motion was made and seconded to adjourn. Voice Vote: Ayes, unanimous. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,  
Patricia Murphy  
Clerk